

## MINUTES OF THE STANDING COMMITTEE ON COMMERCE

**Tuesday, October 16, 2007**

**9:00 a.m.**

**Room 519, House Office Building**

**Chair Meisner** called the Standing Committee on Commerce to order.

**MEMBERS PRESENT:** Reps. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg, Meltzer (19/19)

**MEMBERS ABSENT/EXCUSED:** None (0/19)

**Representative Robert Jones** moved to adopt the minutes from the meeting held on October 9, 2007. Hearing no objection, the **motion prevailed** with unanimous consent.

The **Chair** laid **House Bills 4050, 4317, 4680** and **Senate Bill 388** before the committee.

HB 4050	Miller	Trade; consumer goods and services; gift certificates and gift cards; regulate and require disclosures.
HB 4317	Meadows	Trade; consumer goods and services; issuance of gift certificates and gift cards; prohibit expiration and certain fees.
HB 4680	Sak	Trade; consumer goods and services; gift certificates; prohibit fees and expiration dates.
SB 388	Cassis	State; escheats; application of unclaimed property act to gift cards; clarify.

**Representative Miller** explained the intent of **House Bill 4050** and a proposed **Substitute (H-2)**.

**Representative Sak** explained the intent of **House Bill 4680** and a proposed **Substitute (H-2)**.

**Representative Meadows** explained the intent of **House Bill 4317** and a proposed **Substitute (H-2)**.

**Representatives Miller, Meadows** and **Sak** also answered questions.

**Representative Green** testified in **support** of the bills and answered questions.

**Chad Arnold**, from the Office of Senator Cassis, explained the intent of **Senate Bill 388** and answered questions.

**Matt Groen**, representing the Michigan Restaurant Association, testified in **support** of **Senate Bill 388**, and in **opposition** to **House Bills 4050, 4317** and **4680**. He also answered questions.

**Mary Dechow**, representing Spartan Stores, answered questions pertaining to the bills.

**Bill Knox**, representing AARP, submitted a testimony card in **support** of **House Bills 4050, 4317 and 4680**, but did not wish to speak.

**Stephanie Wuttke**, representing the Michigan Advocacy Project, submitted a testimony card in **support** of **House Bills 4050, 4317 and 4680**, but did not wish to speak.

**Phil Guyeskey**, representing the Michigan Chamber of Commerce, submitted a testimony card in **opposition** to **House Bills 4050, 4317 and 4680**.

**Larry Steckelberg**, representing the Michigan Department of Treasury, submitted a testimony card on **Senate Bill 388**, indicating a **neutral** position, but did not wish to speak.

The **Chair** announced the committee would go at ease, the time being **9:59 a.m.**

**Chair Meisner** called the committee to order, the time being **10:02 a.m.**

**Representative Robert Jones** moved to adopt **Substitute (H-2)** to **House Bill 4050**.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Simpson, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg, Meltzer (17/19)

**NAYS:** None (0/19)

**PASS:** Reps. Sheltroun, Valentine (2/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Chair Meisner** offered the following amendments to **House Bill 4050 (H-2)**:

1. Amend page 1, line 8, after “**CLOSEOUT.**” by inserting “**THIS SUBDIVISION DOES NOT APPLY IF THE GIFT CERTIFICATE HAS AN EXPIRATION DATE THAT DOES NOT VIOLATE SECTION 3G AND IT IS PRESENTED FOR REDEMPTION AFTER THAT EXPIRATION DATE.**”.
2. Amend page 3, line 27, after “**TO,**” by inserting “**AN EXPIRATION DATE OR**”.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg, Meltzer (18/19)

**NAYS:** None (0/19)

**PASS:** Rep. Sheltroun (1/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Chair Meisner** offered the following amendment to **House Bill 4050 (H-2)**:

1. Amend page 2, line 9, by striking out all of subparagraph (i) and renumbering the remaining subparagraphs.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg, Meltzer (18/19)

**NAYS:** None (0/19)

**PASS:** Rep. Sheltroun (1/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Chair Meisner** offered the following amendment to **House Bill 4050 (H-2)**:

1. Amend page 3, line 17, after “**OR**” by inserting “**A GIFT CARD OR OTHER**”.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg, Meltzer (19/19)

**NAYS:** None (0/19)

**PASS:** None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative Hildenbrand** offered the following amendment to **House Bill 4050 (H-2)**:

1. Amend page 5, following line 16, by inserting:  
“(c) Senate Bill No. 388.”.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Accavitti, Byrum, Clemente, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg, Meltzer (10/19)

**NAYS:** Reps. Meisner, Robert Jones, Coulouris, Dean, Griffin, Johnson, Sheltroun, Simpson, Valentine (9/19)

**PASS:** None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative Robert Jones** moved to report **House Bill 4050**, with recommendation, as **Substitute (H-3)**.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Sheltroun, Simpson, Valentine, Hildenbrand, Palsrok, Stakoe, Rick Jones, Knollenberg, Meltzer (18/19)

**NAYS:** Rep. Huizenga (1/19)

**PASS:** None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative Robert Jones** moved to adopt **Substitute (H-2)** to **House Bill 4317**.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg, Meltzer (19/19)

**NAYS:** None (0/19)

**PASS:** None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative Hildenbrand** moved to adopt the following amendment to **House Bill 4317 (H-2)**:

1. Amend page 10, following line 14, by inserting:  
“(c) Senate Bill No. 388.”.

**UNFAVORABLE ROLL CALL:**

**YEAS:** Reps. Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg, Meltzer (7/19)

**NAYS:** Reps. Meisner, Robert Jones, Coulouris, Dean, Griffin, Johnson, Sheltroun, Simpson, Valentine (9/19)

**PASS:** Reps. Accavitti, Byrum, Clemente (3/19)

An insufficient number of members voting in the affirmative, the **motion did not prevail**.

**Representative Robert Jones** moved to report **House Bill 4317**, with recommendation, as **Substitute (H-2)**.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Sheltroun, Simpson, Valentine (12/19)

**NAYS:** Reps. Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg, Meltzer (7/19)

**PASS:** None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative Robert Jones** moved to adopt **Substitute (H-2)** to **House Bill 4680**.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Simpson, Valentine, Hildenbrand, Huizenga, Stakoe, Rick Jones, Knollenberg, Meltzer (17/19)

**NAYS:** None (0/19)

**PASS:** Reps. Sheltroun, Palsrok (2/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative Hildenbrand** moved to adopt the following amendment to **House Bill 4680 (H-2)**:

1. Amend page 1, following line 8, by inserting:  
“(c) Senate Bill No. 388.”.

**UNFAVORABLE ROLL CALL:**

**YEAS:** Reps. Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg, Meltzer (7/19)

**NAYS:** Reps. Meisner, Robert Jones, Coulouris, Dean, Griffin, Johnson, Sheltroun, Simpson, Valentine (9/19)

**PASS:** Reps. Accavitti, Byrum, Clemente (3/19)

An insufficient number of members voting in the affirmative, the **motion did not prevail**.

**Representative Hildenbrand** moved to adopt the following amendment to **House Bill 4680 (H-2)**:

1. Amend page 1, line 3, after “**THAN**” by striking out “**5**” and inserting “**2**”.

**UNFAVORABLE ROLL CALL:**

**YEAS:** Reps. Byrum, Sheltroun, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg, Meltzer (9/19)

**NAYS:** Reps. Meisner, Robert Jones, Coulouris, Dean, Griffin, Johnson, Simpson (7/19)

**PASS:** Reps. Accavitti, Clemente, Valentine (3/19)

An insufficient number of members voting in the affirmative, the **motion did not prevail**.

**Representative Robert Jones** moved to report **House Bill 4680**, with recommendation, as **Substitute (H-2)**.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Simpson, Valentine (11/19)

**NAYS:** Reps. Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Kollenberg, Meltzer (7/19)

**PASS:** Rep. Sheltroun (1/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

The **Chair** laid **House Bill 4948** before the committee.

HB 4948	Warren	Property tax; other; disclosure of business audit for real or personal property; prohibit.
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**Representative Warren** explained the intent of the bill.

**Larry Steckelberg**, representing the Michigan Department of Treasury, testified in **support** of the bill and answered questions. He also submitted written material.

**Marilyn Plummer**, representing the Michigan Assessors Association, submitted a testimony card in **support** of the **concept** of the bill, but did not wish to speak.

There being no further business to come before the committee, the **Chair** declared the meeting adjourned, the time being **10:17 a.m.**

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**Representative Andy Meisner, Chair**

Jean Hamelin, Committee Clerk  
(517) 373-5632